

PHILLIP A. TALBERT
United States Attorney
DAVID W. SPENCER
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AARON IRIBE, and
DANIEL LOPEZ,

Defendants.

CASE NO. 2:21-CR-189-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: October 5, 2023
TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

1. By previous order, this matter was set for status on October 5, 2023.
2. By this stipulation, defendants now move to continue the status conference until November 9, 2023, at 9:00 a.m., and to exclude time between October 5, 2023, and November 9, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes approximately 148 pages of reports, search warrants, and other documents, as well as multiple audio and video recordings and the contents of seized cell phones. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) On October 11, 2022, defendant Daniel Lopez made his initial appearance in this
2 district and attorney Mark Reichel was appointed to represent him. ECF No. 59.

3 c) Counsel for defendants desire additional time to review this discovery, conduct
4 factual investigation, evaluate the charges and potential defenses, consult with their respective
5 clients, and otherwise prepare for trial.

6 d) In addition, counsel for defendant Lopez, Mr. Reichel, begins a two-week trial in
7 Placer County on October 2, 2023. The trial is scheduled to be in session on October 5, 2023,
8 the date of the status conference in this matter.

9 e) Counsel for defendants believe that failure to grant the above-requested
10 continuance would deny them the reasonable time necessary for effective preparation, taking into
11 account the exercise of due diligence.

12 f) The government does not object to the continuance.

13 g) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendant in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of October 5, 2023 to November 9,
18 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
19 T4] because it results from a continuance granted by the Court at defendant's request on the basis
20 of the Court's finding that the ends of justice served by taking such action outweigh the best
21 interest of the public and the defendant in a speedy trial.

22 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
23 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
24 must commence.

25 IT IS SO STIPULATED.
26
27
28

1 Dated: September 28, 2023

PHILLIP A. TALBERT
United States Attorney

2
3 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

4
5 Dated: September 28, 2023

/s/ Jennifer Mouzis
Jennifer Mouzis
Counsel for Defendant
AARON IRIBE

6
7 Dated: September 28, 2023

/s/ Mark Reichel
Mark Reichel
Counsel for Defendant
DANIEL LOPEZ

8
9
10
11
12 **ORDER**

13 IT IS SO FOUND AND ORDERED this 29th day of September, 2023.

14
15 /s/ Daniel J. Calabretta
16 THE HONORABLE DANIEL J. CALABRETTA
17 UNITED STATES DISTRICT JUDGE
18
19
20
21
22
23
24
25
26
27
28